

IT IS ORDERED

Date Entered on Docket: December 9, 2021



The Honorable David T. Thuma
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

IN RE:
CAROLINA T. FLORES
aka CAROLINA TORRES FLORES
aka CARRIE T. FLORES
SSN/ITIN: xxx-xx-8686

Debtor.

No. 13-20-10110-TL

**AGREED ORDER LIFTING AUTOMATIC STAY
AND FOR ABANDONMENT OF PROPERTY**

THIS MATTER having come before the Court on Motion for Relief from Stay and Abandonment of Property filed by Lakeview Loan Servicing, LLC, being represented by Rose L. Brand & Associates, P.C. (Elizabeth Dranttel), Debtor being represented by Arvizu Law (R Trey Arvizu, III), and the Trustee, Tiffany M. Cornejo, the Petitioner, the Trustee, and Debtor having come to an agreement and finding that Lakeview Loan Servicing, LLC is entitled to an Order abandoning the property and lifting the automatic stay imposed by the filing of the bankruptcy action, and being otherwise advised in these premises,

IT IS, THEREFORE, THE ORDER OF THIS COURT that the automatic stay imposed by the filing of the above-entitled and numbered cause of action as the same pertains to all the property described in the Note and Deed of Trust, in Exhibit "A" and Exhibit "B" of the Motion, including:

Lot 3, Block D, MESA HEIGHTS AMENDMENT NO. ONE, in the City of Las Cruces, Dona Ana County, New Mexico, as shown and designated on the plat thereof, filed in the office of the County Clerk of said County on January 5, 1961, in Book 1 Page(s) 57 of Plat Records.

including any improvements, fixtures, and attachments, such as, but not limited to, mobile homes. is hereby lifted and the creditor, Lakeview Loan Servicing, LLC, is permitted to proceed to proceed with foreclosure as to such real property, listed in Exhibit "A" and Exhibit "B". The Creditor is entitled to exercise the rights and remedies it is afforded under the Note and Deed of Trust, including but not limited to the right to foreclose against the property pursuant to State Law.

IT IS FURTHER THE ORDER OF THIS COURT that as the above premises are hereby abandoned pursuant to Section 554 of the Bankruptcy Code and shall not hereinafter become property of a successor bankruptcy estate, or successor trustee, and the Petitioner shall not be required to name the Trustee as a Defendant in its foreclosure action and may sell any of the collateral without further notice to the Debtor and the Trustee.

IT IS FURTHER THE ORDER OF THIS COURT that the Automatic Stay will be deemed lifted for all parties/creditors having an interest in the property located at 1420 Juniper Avenue, so as to proceed with foreclosure.

IT IS FURTHER THE ORDER OF THIS COURT that any deficiency owed by the Debtor to Lakeview Loan Servicing, LLC, after sale of said collateral shall be subject to the Bankruptcy Code should this bankruptcy continue. If the Note to Lakeview Loan Servicing,

LLC is satisfied and any monies remain, such monies will be paid to the Trustee for the benefit of the estate.

IT IS FURTHER THE ORDER OF THIS COURT that any refund for insurance premiums advanced by Creditor on the subject collateral shall be applied to the outstanding loan balance.

XXXX – END OF ORDER – XXXX

SUBMITTED BY:

ROSE L. BRAND & ASSOCIATES, P.C.

By /s/Elizabeth Dranttel e-signed
ELIZABETH DRANTTEL
Attorney for Creditor Lakeview Loan Servicing, LLC
7430 Washington Street, NE
Albuquerque, NM 87109
Telephone: (505) 833-3036
Facsimile: (505) 833-3040
E-mail: Elizabeth.Dranttel@roselbrand.com

APPROVED BY:

ARVIZU LAW

By /s/Concurrence received via e-mail 12.01.21
R TREY ARVIZU, III
Attorney for Debtor Carolina T. Flores
PO Box 1479
Las Cruces, NM 88004-1479
Telephone: 575-527-8600
trey@arvizulaw.com

By /s/Concurrence received via e-mail 12.02.21
TIFFANY M. CORNEJO, Trustee
625 Silver Avenue SW Suite 350
Albuquerque, NM 87102-3111
Telephone: (505) 243-1335
orders@ch13nm.com